

Notice of Allowability

Application No.

10/037,305

Examiner

Chris Parry

Applicant(s)

VOYER ET AL.

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the initial filing and the preliminary amendment filed on December 21, 2001.
2. ☒ The allowed claim(s) is/are 9-25 - (respectfully renumbered as 1-17).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 12/21/2001
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Paul Ditmyer on March 31, 2006.

The application has been amended as follows:

Claims 23-25 have been amended to fix claim dependency issues.

23. (Currently Amended) A device according to Claim [21] 22, further comprising a display for displaying television images and EPG data stored in the third memory.

24. (Currently Amended) A device according to Claim [21] 22, further comprising a microcontroller for controlling the memories and the comparison units.

25. (Currently Amended) A device according to Claim [21] 22, further comprising a selection unit for permitting a user to select the channels for which the codes are stored in the first memory.

Drawings

2. The drawings were received on March 13, 2002. These drawings are acceptable.

Allowable Subject Matter

3. Claims 9-25 are allowed.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

Regarding Claims 9-19, the Examiner could not find any art to teach or fairly suggest a receiver receiving a summary indicating for each channel the code of the channel and identification numbers of data blocks sent with the contents and storing a modified summary in a second memory in combination with other elements recited in the claims. The closest art found, Eyer et al. (U.S. 6,401,242) discloses a method of filtering data for an EPG in a television receiver (300 – figure 3) sent in the form of channel maps and IPG data, the channel maps identify a user channel number, a physical location, and a source identifier and the (Col. 9, lines 34-39) and stored in IPG data processing 180. Further the IPG data processing 180 includes common data as well as custom data for local cable channels (Col. 9, lines 40-47). Eyer further discloses IPG data is stored in RAM 350 or “third memory” (Col. 9, lines 53-59). Therefore, Eyer

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does not disclose, teach, or suggest obtaining from the summary, a modified summary containing only the data of the summary concerning all or some of the channels received by the television receiver as identified in the first memory, and storing the modified summary in a second memory as recited in claims 9 and 15.

Regarding Claims 20-25, the Examiner could not find any art to teach or fairly suggest a device for filter EPG data in a television receiver comprising a first comparison means for comparing each code of the summary with the list of codes recorded in the first memory and second comparison means for comparing the identification number of the data block recorded in the buffer memory with the identification numbers recorded in the second memory in combination with other elements recited in the claims. The closest art found, Eyer et al. (U.S. 6,401,242) discloses a device for filter EPG data in a television receiver (300 – figure 3) comprising a channel detection device (335 – figure 3), a buffer memory (340 – figure 3), a second memory (180 – figure 3), a third memory (350 – figure 3), a display (195 – figure 3), a microcontroller (170 – figure 3), and a second recording means (348 – figure 3) (Col. 9, lines 1-58). Therefore, Eyer does not disclose, teach, or suggest a first comparison means, a first recording means, and a second recording means as recited in claims 20 and 22.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 5,459,522 to Pint – Discloses a method for acquiring and displaying an on-screen program guide.

U.S. Pat. No. 6,483,547 to Eyer – Discloses a method and apparatus for enabling the unambiguous identification of an analog television signal, and more particularly to the provision of tag data in a blanking interval of the analog television signal to associate the signal with information such as a channel name and number, program title and schedule information.

U.S. Pat. No. 5,548,338 to Ellis et al. – Discloses a method of receiving a compressed EPG data stream and storing the EPG data stream in memory.

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U.S. Pat. No. 5,608,534 to Park et al. – Discloses a method for mapping the channel position on the basis of a found broadcasting station and storing the mapped channel position into memory.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Parry whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiners Initials: CLP
April 5, 2006


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